

4/3/01  
MA

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TERRY R. POWELL,

Petitioner

v.

ROBERT SHANNON, et al.,

Respondents

CIVIL ACTION NO. 1:CV-00-2180

FILED  
HARRISBURG, PA

APR 02 2001

MARY E. D'ANDREA, CLERK  
Per. (Judge Rambo) Deputy Clerk

**ORDER**

Petitioner, Terry Powell, filed the instant petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, in which he challenges his conviction imposed by the Court of Common Pleas of Adams County, Pennsylvania. Along with his petition, Powell filed an application to proceed in forma pauperis.


In accordance with United States v. Miller, 197 F.3d 644 (3d Cir. 1999) and Mason v. Meyers, 208 F.3d 414 (3d Cir. 2000), the petitioner is advised that he can (1) have the petition ruled on as filed, that is, as a § 2254 petition for writ of habeas corpus and heard as such, but lose his ability to file a second or successive petition, absent certification by the court of appeals, or (2) withdraw his petition and file one all-inclusive § 2254 petition within the

one-year statutory period prescribed by the Antiterrorism Effective Death Penalty Act.

Accordingly, IT IS HEREBY ORDERED THAT:

1. Petitioner shall within 45 days of the date of this order complete and file with the court the attached Notice of Election.

2. Failure of petitioner to comply with this order will result in the court ruling on the document as captioned.

  
SYLVIA H. RAMBO  
United States District Judge

Dated: April 2, 2001.  
SR:dlb

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

April 2, 2001

Re: 1:00-cv-02180 Powell v. Shannon

True and correct copies of the attached were mailed by the clerk  
to the following:

Terry R. Powell  
SCI-MAHANAY  
CT-9673  
Mahanoy State Correctional Inst.  
301 Morea Rd.  
Frackville, PA 17931

cc:		
Judge	(X )	(X ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )	
Other _____	( )	

MARY E. D'ANDREA, Clerk

DATE: April 2nd, 2001

BY:

  
Deputy Clerk